

ORIGINAL

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BEFORE THE

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of

RONALD BRASHER

Licensee of Private Land Mobile Stations

WPLQ202, KCG967, WPLD495, WPKH771,

WPKI739, WPKI733, WPKI707, WIL990,

WPLQ475, WPLY658, WPKY903, WPKY901,

WPLZ533, WPKI762, and WPDU262

et al.

EB Docket No. 00-156

RECEIVED

OCT 6 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Honorable Arthur I. Steinberg,
Administrative Law Judge

JOINT STATEMENT PURSUANT TO § 1.92 OF THE RULES

JIM SUMPTER, NORMA SUMPTER,
MELISSA SUMPTER, AND JENNIFER HOLL

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Date: October 6, 2000

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SUMMARY

In this submission, Jim Sumpter, Norma Sumpter, Melissa Sumpter, and Jennifer Hill (collectively, the *Sumpters*) respond to the Hearing Designation Order (the *HDO*), FCC 00-314 (released August 29, 2000) in this proceeding. The Sumpters are the nominal licensees of radio facilities whose licenses they neither applied for, nor desire to hold. Applications were submitted in the Sumpters' names without their knowledge or consent. Because the Sumpters did not sign or file or even know of the applications filed in their names, the licenses issued in their names do not comport with § 308(a) of the Communications Act. The Sumpters thus cannot be considered the holders of those licenses or to be considered licensees in the true sense of the term. It follows from this that the Sumpters cannot be considered to have engaged in any unauthorized transfer of control, since they never held control in the first place. Since the Sumpters do not want the licenses issued in their names, there is no purpose to a hearing as to whether those licenses should be revoked. It is the Sumpters' request that the Presiding Officer sever the Sumpters from the hearing proceeding and to certify this matter to the Commission, so that the Commission may terminate this proceeding by canceling the licenses outstanding in the Sumpters' names. Furthermore, since the Sumpters have made no false statements and have not lacked candor and have cooperated with the Commission's staff in the pre-designation enquiry that the staff conducted, the Commission should terminate their involvement in this matter without taking adverse action against them. The Sumpters waive their rights to hearing and state for the record that they will cooperate with any lawful subpoenas.

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To: The Honorable Arthur I. Steinberg,
Administrative Law Judge

JOINT STATEMENT PURSUANT TO § 1.92 OF THE RULES

Jim Sumpter, Norma Sumpter, Melissa Sumpter, and Jennifer Hill (collectively, the *Sumpters*) hereby submit this Joint Statement, pursuant to § 1.92 of the Rules, and in response to the Hearing Designation Order (the *HDO*), FCC 00-314 (released August 29, 2000) in this proceeding. As they will demonstrate more fully herein, the Sumpters are the nominal licensees of radio facilities whose licenses they neither applied for, nor desire to hold. It is the Sumpters' request that the Presiding Officer sever the Sumpters from the hearing proceeding and to certify this matter to the Commission, so that the Commission may terminate this proceeding by canceling the licenses outstanding in the Sumpters' names, without taking adverse action against them.

Clearly, this is the appropriate course of action. There is no reason to keep outstanding in the Sumpters' names a group of licenses that the Sumpters neither applied for nor want, or to

take evidence on the issue of whether those licenses should be revoked. Moreover, it would be unjust to visit sanctions on the Sumpters, who have done nothing wrong, and whose good names others, in preparing and filing the applications underlying these licenses, expropriated without the Sumpters' knowledge or consent. For when the full import of this situation came to the Sumpters' attention, they did their best to separate themselves from the unauthorized uses of their names, and they forthrightly provided fully candid responses to FCC staff enquiries.

I. FACTUAL PRESENTATION

1. In April 1999, each of the Sumpters submitted written Declarations in response to FCC staff enquiry letters. Those Declarations spelled out how the Sumpters had come to learn that applications for FCC licenses had apparently been submitted in 1996 in their names, without their knowledge or permission, and bearing forged signatures. The Sumpters ratify those Declarations, and incorporate them into this Joint Statement by this express reference.

2. The Sumpters' Declarations related how, in November of 1997, each of them received service copies of a Petition for Order to Show Cause that an entity named Net Wave Communications, Inc. (*Net Wave*) had filed with the FCC. Net Wave's Petition alleged that a group of land-mobile licensees (the *Named Licensees*) had engaged in misrepresentations before the Commission and in unauthorized transfers of control of FCC-licensed facilities. Among the Named Licensees were:

- each of the Sumpters;
- Patricia A. Brasher, who is: one of Norma Sumpter's sisters; the sister-in-law of Jim Sumpter; and an aunt of Norma and Jim Sumpter's daughters, Melissa Sumpter and Jennifer Hill (née Sumpter);

- Ronald D. Brasher, who is: the husband of Patricia A. Brasher; the brother-in-law of Jim and Norma Sumpter; and an uncle of Melissa Sumpter and Jennifer Hill;
- David L. Brasher, who is: the son of Patricia A. and Ronald D. Brasher; a nephew of Jim and Norma Sumpter; and a cousin of Melissa Sumpter and Jennifer Hill;
- Carolyn Lutz, who is: another sister of Norma Sumpter and Patricia A. Brasher; another sister-in-law of Jim Sumpter; and another aunt of Melissa Sumpter and Jennifer Hill;
- O.C. Brasher and Ruth I. Bearden (both deceased), who were the parents of Ronald D. Brasher; and
- two business entities, DLB Enterprises, Inc. and Metroplex Two-Way Radio Service, of which David L. Brasher, Patricia A. Brasher, and Ronald D. Brasher are principals.

3. On November 25, 1997, the law firm of Brown & Schwaninger filed an Opposition to the Net Wave Petition in the names of all of the Named Licensees, including the Sumpters. The Opposition admitted that there were familial relationships among the Named Licensees but asserted, among other things:

- that, "... three individuals named Sumpter... submitt[ed] applications for radio stations...." (Opposition at 3);
- that, "[e]ach of the [Named Licensees] retains control of its own station(s)" (Id.);
- that "[s]ome of the channels for which the [Named Licensees] hold licenses are operated in a trunked configuration [(Opposition at 5), but that there was not and there never had been any FCC rule] ... which prohibited operation of a trunked system by the [Named Licensees]." (Opposition at 6).

4. None of the Sumpters ever retained Brown & Schwaninger to represent them in this matter. Nor did any of the Sumpters ever authorize the Opposition's filing. As Jim Sumpter related at page two of his Declaration,

"On November 23, [1997], Ronald [D. Brasher] faxed me a draft Opposition to the Net Wave Petition, along with a cover memo from his lawyer. * * * * He [i.e., Ronald] did not ask for my approval of the draft, and I did not give it. I really wanted no

involvement in the entire matter, and, to my knowledge, Ronald and I had no further conversation about the matter before the Opposition was filed.”

5. Both the arrival and the gist of Net Wave’s Petition greatly troubled the Sumpters. Although Norma, Jennifer, and Melissa had, some years before (sometime in the 1980s or early 1990s), and at Ronald D. Brasher’s request, executed FCC applications, they were under the impression that they had not been doing anything wrong. As Ronald Brasher had described it to them (again, years before),

“....[Ronald] could receive only a limited number of licenses in his own name, but ... he could have [an] unlimited number of licenses transferred to him. He said it was like a lottery. He wanted to put our names in this ‘drawing,’ and if any of our names were drawn, he would immediately transfer the resulting license to his name.”

Jim Sumpter Declaration at page one. But Net Wave obviously had a different take on the situation. Moreover, while Norma Sumpter, Melissa Sumpter, and Jennifer Hill (then Jennifer Sumpter) recalled signing applications sometime in the 1980s or early 1990s, they could not recall signing applications more recently, especially not in the June-July 1996 time frame that Net Wave’s Petition described. And Jennifer Hill could not recall ever signing any applications in her married name. Nor could Jim Sumpter recall ever having signed any applications, period.¹

¹“However, I resisted the use of my name, since I was the outside Certified Public Accountant for DLB Enterprises, Inc. I felt that the use of my name would erode independence in this accounting engagement. (I became Ronald and Pat Brasher’s, and DLB’s, outside accountant in 1982.[D])

“Ron Brasher responded to my letter of December 20 with his own, dated January 6, 1998. See Attachment F [to Mr. Sumpter’s Declaration]. In his letter, Ron claims that he and his wife were present in my office when the application was signed, and that my wife was there, too. I will discuss the application in greater detail below, but I want to emphasize that I do not have any recollection of ever signing an FCC application in my office or anywhere else, either alone or in the presence of others.”

6. After receiving their service copies of the Net Wave Petition, the Sumpters each sent letters to Ronald and Patricia Brasher saying that they had recently become aware that there were licenses outstanding in their names and that they wanted their names removed. See Exhibits 1 through 4 to this Joint Statement.² Melissa Sumpter and Jennifer Hill each stated that they had not signed any documents related to radio licenses in several years. Mrs. Hill further stated that she had never signed any documents using her married name. In addition to sending her letter, Mrs. Hill spoke with Ronald D. Brasher by telephone.

“I told him that I did not remember signing any license application in my married name. He told me that once I had signed one application, then he could use my name again and again. I thought this was very strange, so again I told him, ‘I do not remember signing anything in my married name.’ He assured me that everything was under control and that we had not done anything wrong.”

Jennifer Hill Declaration at page two.

Jim Sumpter Declaration at page one.

²Exhibits 1 through 4 to this Joint Statement are copies of Bates-stamped pages that Schwaninger & Associates submitted to the FCC on behalf of DLB Enterprises, Inc. in response to the FCC’s initial enquiry letter directed to DLB. These Exhibits are copies of letters dated November 29, 1997 written by the Sumpters and sent to Ronald and Patricia Brasher. In reviewing their papers in connection with the preparation of their Declarations, the Sumpters did not come across copies of these letters and therefore did not include them as Attachments to their Declarations. Jim and Norma Sumpter did provide, as Attachment C to Jim Sumpter’s Declaration and Attachment A to Norma Sumpter’s Declaration, copies of letters dated December 20, 1997 that they sent to Ronald and Patricia Brasher after signing FCC Form 800As that Ronald Brasher had presented to them (“... the letter[s] from the FCC dated 11-17-97”).

7. Ronald Brasher responded with letters insisting that the Sumpters had signed FCC applications for the facilities. See Attachment F to Jim Sumpter's Declaration, Attachment B to Jennifer Hill's Declaration, and Exhibit 5 to this Joint Statement.³

8. As the Sumpters describe in their respective Declarations, in response to their demands that their names be removed from the FCC licenses, Ronald D. Brasher presented the Sumpters with FCC Forms 800A and 1046.

"He described the forms as necessary to the transfer of the licenses and pressured us to sign them. Norma was in the office that day, and she and I signed the 800As and gave them to him without making copies. The other forms, that is, the FCC Form 1046s, we did make copies of. * * *

"Afterwards (meaning after Norma and I signed the Form 800As), the more we thought about it, the less enthused we were about having our daughters sign the 800As. We so advised them, and my daughters did not sign 800As, although they did sign 1046s. We gave the signed originals to Ron. It was my impression when signing the 1046s and giving them to Ron, we were assigning whatever interest we had in these licenses and that that was it, as far as we were concerned.

"I thought these transfers were complete until Ron Brasher called me in July, 1998 and said that my daughters would be in 'big' trouble if they did not sign the 800A forms. We refused, and the more we thought about it, the more it seemed like we needed to get advice from an FCC lawyer of our own choosing. Ultimately, we retained Mr. McVeigh, and he filed an Appearance on our behalf."

Jim Sumpter Declaration at pages two-three. Further, the Sumpters, through undersigned counsel, contacted Brown & Schwaninger and insisted that Brown & Schwaninger, by an erratum,

³Exhibit 5 comprises copies of Bates-stamped pages from DLB's submission to the FCC in response to the FCC's initial enquiry letter to DLB. Neither Norma Sumpter nor Melissa Sumpter submitted a copy of the letter addressed to her with her respective Declaration responding to the FCC's enquiry letter, as neither one came across a copy in reviewing the papers in her possession, while her respective Declaration was undergoing preparation. This may be because the letters were addressed using an invalid address, 4008 Harbinger Drive. That has never been Norma or Melissa Sumpter's residential address. Melissa formerly lived with her parents at 4406 Harbinger Drive.

remove the Sumpters' names from the Opposition to Net Wave's Petition. This insistence stemmed from reservations as to the accuracy of at least some of the statements in the Opposition quoted at para. 3, above.

9. As Jim Sumpter further described in his Declaration,

"We did not have copies of the applications that resulted in licenses in our names, so Mr. McVeigh obtained copies on our behalf. He forwarded them to us last month [i.e., in March 1999], around the time the FCC issued its inquiry letters to each of us. Attachment G [to Mr. Sumpter's Declaration] is a copy of 'my' application. The handwriting on the signature page is not mine. I did not sign this application, and to the best of my knowledge, I have never signed any FCC application. The only FCC papers I have signed, to the best of my knowledge, are the Form 800A and the Form 1046."

Jim Sumpter Declaration at page three. Norma Sumpter, Melissa Sumpter, and Jennifer Hill also attached to their Declarations copies of the applications that their undersigned counsel had obtained from FCC reference files with the assistance of the Commission's copying contractor. Norma, Melissa, and Jennifer each also denied the authenticity of the signatures purporting to be theirs on the applications submitted to the Commission in their names.

10. DLB submitted voluminous materials in response to the Commission's initial enquiry letter directed to DLB. Among the items that DLB submitted were copies of applications submitted to the FCC in the Sumpters' names, including purported copies of the applications' signature pages.

- Exhibit 6 comprises copies of unsigned and undated signature pages purportedly associated with the application filed in the name of Jim Sumpter, as produced by DLB to the Commission's staff.

Exhibit 7 is a copy of the executed signature page associated with the application actually filed in Mr. Sumpter's name. The Commission's copying contractor provided this copy (and other

pages associated with the application) to the undersigned counsel in response to counsel's request for a copy of the complete application filed in Mr. Sumpter's name. The signature page is signed, purportedly by Jim Sumpter, and the signature is dated June 18, 1996. Mr. Sumpter categorically denies executing the signature on Exhibit 7. Mr. Sumpter's genuine signature appears in Exhibit 8. Even an eyeball comparison reveals that Exhibit 7 is a forgery.

- Exhibit 9 comprises copies of signature pages allegedly associated with Norma Sumpter's application, purportedly signed by Mrs. Sumpter on June 22, 1996, as produced by DLB to the Commission's staff.

Exhibit 10 is a copy of the executed signature page associated with the application actually filed in Mrs. Sumpter's name. The Commission's copying contractor provided this copy (and other pages associated with the application) to the undersigned counsel in response to counsel's request for a copy of the complete application filed in Mrs. Sumpter's name. The Exhibit 10 signature page is signed, purportedly by Norma Sumpter, and the signature is dated June 18, 1996 — four days earlier than the copy of the signature page provided by DLB. Mrs. Sumpter categorically denies executing the signatures on both Exhibit 9 and Exhibit 10. The signature on Exhibit 9 more closely resembles Mrs. Sumpter's genuine signature, which appears on Exhibit 11, than Exhibit 10 does, and must have been manufactured using a specimen of Mrs. Sumpter's authentic signature as a guide or template. Neither Exhibit 9 nor Exhibit 10 bears Mrs. Sumpter's genuine signature.

- Exhibit 12 comprises copies of signature pages allegedly associated with Melissa Sumpter's application, purportedly signed by Ms. Sumpter on June 22, 1996, as produced by DLB to the Commission's staff.

Exhibit 13 is a copy of the executed signature page associated with the application actually filed in Ms. Sumpter's name. The Commission's copying contractor provided this copy (and other pages associated with the application) to the undersigned counsel in response to counsel's request for a copy of the complete application filed in Ms. Sumpter's name. The signature page is signed, purportedly by Melissa Sumpter, and the signature is dated June 18, 1996 — four days earlier than the copy of the signature page provided by DLB. Ms. Sumpter categorically denies executing the signatures on Exhibits 12 and 13, which differ from each other markedly. Exhibit 14 contains Ms. Sumpter's genuine signature. The signature which appears in Exhibit 13 is obviously a forgery. That which appears in Exhibit 12 more closely resembles Ms. Sumpter's genuine signature, and must have been manufactured using a specimen of Ms. Sumpter's authentic signature as a template.

- Exhibit 15 comprises copies of signature pages allegedly associated with Jennifer Hill's application, purportedly signed by Mrs. Hill on June 22, 1996, as produced by DLB to the Commission's staff.

Exhibit 16 is a copy of the executed signature page associated with the application actually filed in Mrs. Hill's name. The Commission's copying contractor provided this copy (and other pages associated with the application) to the undersigned counsel in response to counsel's request for a copy of the complete application filed in Mrs. Hill's name. The signature page is signed, purportedly by Jennifer Hill, and the signature is dated June 18, 1996 — four days earlier than the copy of the signature page provided by DLB. Mrs. Hill categorically denies executing the signatures on Exhibits 15 and 16, which differ from each other markedly. Exhibit 17 contains

Mrs. Hill's genuine signature. The signature which appears in Exhibit 16 is obviously a forgery. That which appears in Exhibit 15 more closely resembles Mrs. Hill's real signature, and must have been manufactured using a specimen of Mrs. Hill's authentic signature as a template.

11. Mr. and Mrs. Sumpter did sign FCC Forms 800A and 1046 which Ronald Brasher presented to them. Their daughters signed FCC Forms 1046 which Ronald Brasher also tendered. The Sumpters did so without legal advice, and in good faith. They relied on Ronald Brasher's statements, both written⁴ and oral, that the Sumpters' signing of such forms was the way to get the Sumpters' names off the FCC licenses. In signing these forms, the Sumpters did not intend or attempt to deceive the Commission or to claim any rights in the licenses.⁵

12. The Sumpters reiterate their prior statements that they did not make financial investments in the facilities for which licenses issued in their names. Nor did they exercise any form of control over such facilities. They were simply unaware that licenses for these facilities had issued in their names prior to their receipt of service copies of Net Wave's Petition.

13. The Sumpters have been forthright with the Commission and have responded to Commission enquiries to the best of their ability, despite the heavy emotional toll that this matter has caused them and the attendant total disruption of familial relationships. The Sumpters bear no animus toward the Brashers, and have not filed anything with the Commission

⁴ See Attachment F to Jim Sumpter's Declaration, Attachment B to Jennifer Hill's Declaration, and Exhibit 5 to this Joint Statement.

⁵ Similarly, in stating in their November 29, 1997 letters to Ronald and Patricia Brasher that they had become aware the each of them was "... the legal owner of a radio channel in the Dallas area," the Sumpters were not claiming any attributable interest in or any legal right to any FCC licenses. Rather, the intended meaning was that the Sumpters had become aware that the FCC had issued licenses in their names... even though they had not signed applications for such licenses. See Exhibits 1 through 4.

out of spite. The Sumpters' only goals have been and are to tell the truth to the best of their ability and to clear their names. They have no desire to seek the preservation of the licenses outstanding in their names, and they request that the Commission cancel those licenses and forthwith terminate this proceeding with respect to them.

II. LEGAL ANALYSIS

14. It is axiomatic that, to be a Commission licensee, one must apply for a license. See § 308(a) of the Communications Act of 1934, as amended, which states,

“The Commission may grant construction permits and station licenses, or modifications or renewals thereof, *only upon written application therefore...* [emphasis added].

47 U.S.C. § 308(a). The Sumpters did not execute the applications which were submitted in their names and which are the focus of this proceeding. If they did not execute those applications, they cannot be licensees, by the plain language under which Congress granted the Commission the power to grant licenses.

15. Further, the Sumpters cannot be considered as having engaged in unauthorized transfers of control of licensed radio facilities. Not only were the licenses for those facilities never validly issued to them, consistent with § 308(a) of the Act, but also, prior to the arrival of the service copies of Net Wave's Petition, the Sumpters did not even know that applications for these licenses had ever been filed, or that these licenses had issued in their names. Prior to then, any mailings that had come to their attention, they assumed, related to applications which had

been filed in the names of Norma, Jennifer, and Melissa a number of years earlier.⁶ None of the Sumpters could have transferred that which they themselves never possessed in the first place (i.e., control).

16. The Sumpters also cannot be seen as having engaged in any misrepresentation or any lack of candor with the Commission. "Misrepresentation, both legally and conventionally, connotes a false statement of an objective fact intentionally made to deceive." Fox River Broadcasting, Inc., 50 Rad. Reg. (P & F) 2d 1321, 1324 (Rev. Bd. 1982). Misrepresentation comprises five elements: (1) a statement; (2) falsity; (3) materiality; (4) intent; and (5) agency jurisdiction. U.S. v. Lange, 528 F.2d 1280 (5th Cir. 1976). Under the Lange standard, none of the Sumpters have committed misrepresentation.

17. First, the Sumpters did not sign the applications filed in their names, or know the applications had been filed. The applications cannot be construed, then, as containing any statements of the Sumpters. None of the Sumpters retained the law firm of Brown & Schwaninger or authorized the filing of the Opposition to the Net Wave Petition. Therefore, the Opposition cannot be seen as containing any statements of the Sumpters. The FCC Forms 800A and 1046 may be viewed as statements by the Sumpters, but the Sumpters did not intend to

⁶It is worth pointing out at this juncture that the applications filed and the licenses issued in the names of Norma Sumpter and Melissa Sumpter specified a street address which has never been valid for either one of them (4008 Harbinger, as opposed to 4406 Harbinger.) The address of record for Jennifer Hill (4312 Gus Thomasson Road, Apt. 721), was correct at the time. Mrs. Hill passed on to her aunt Patricia Brasher, through her mother Norma Sumpter, any FCC-related correspondence she did receive at that address. Mr. Sumpter's application specified his business address. He does not recall the arrival of any mail addressed to him from the FCC or the PCIA. Norma Sumpter works in that office and processes the incoming mail. She is unsure whether any FCC or PCIA mailings addressed to her husband did arrive, but if any did, she did not attribute any significance to such mail, and would have passed it on to Ronald Brasher.

make any statements in executing those documents. They simply wanted to get their names off the licenses, and it was their understanding, without benefit of counsel and under the guidance of Ronald Brasher — their relative in the radio business — that signing those forms was the way to get their names off the licenses.

18. Second, the Sumpters have not made any false statements. With regard to the FCC Forms they did sign, provided to them by Ronald Brasher and already filled in (but for their signatures and dates of execution), there does not appear to be any false statements in the information provided. Indeed, in signing the FCC Forms 1046, the Sumpters were seeking in good faith to divest themselves of any interest in the licenses outstanding in their names. Further, the Sumpters have been completely truthful, to the best of their ability, in their Declarations and dealings with the FCC's staff.

19. Since the Sumpters have not made any false statements, there can be no adverse findings concerning the Sumpters under elements three through five of the Lange test.

20. The Commission also cannot conclude that the Sumpters have engaged in a lack of candor concerning this matter. "The core of lack of candor [...] is omission, viz., failure to be completely forthcoming in the provision of information which could illuminate a decisional matter." Fox River Broadcasting, Inc., 50 Rad. Reg. (P&F) 2d 1321, 1325 (Rev. Bd. 1982). The Sumpters have been completely forthcoming in this matter, despite the great personal difficulty that this has caused them.

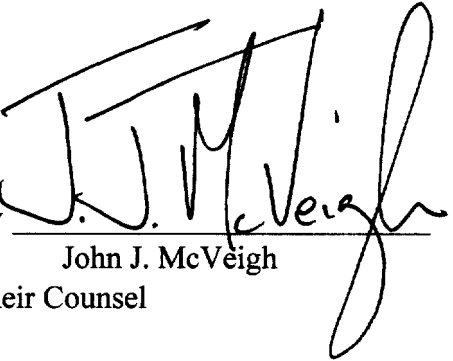
III. CONCLUSION

The Commission should terminate this proceeding with respect to the Sumpters by canceling the licenses wrongfully issued in their names, without imposing any sanctions on any

of the Sumpters. Finally, the Sumpters will comply with any lawful subpoenas issued in connection with this most unfortunate matter.

Respectfully submitted,

THE SUMPTERS

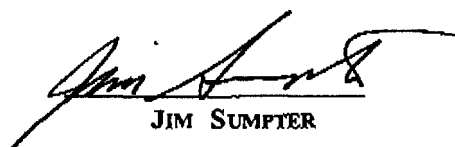
By 
John J. McVeigh
Their Counsel

JOHN J. McVEIGH, ATTORNEY AT LAW
12101 Blue Paper Trail
Columbia, Maryland 21044-2787
(301) 596-1655

Date: October 6, 2000

RATIFICATION

Each of us hereby states that we have reviewed the foregoing JOINT STATEMENT
PURSUANT TO § 1.92 OF THE RULES, that it is true and accurate to the best of the personal
knowledge of each of us, under penalty of perjury, and that each of us subscribes to its contents.


JIM SUMPTER

Date: 10-5-00


NORMA SUMPTER

Date: 10-5-00


MELISSA SUMPTER

Date: 10-6-00


JENNIFER HILL

Date: 10-6-00

EXHIBIT 1

Ronald & Pat Brasher
224 Molina
Sunnyvale, Tx 75182

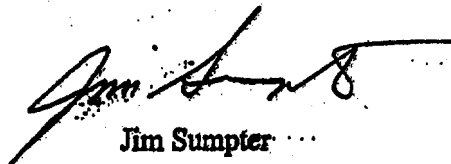
November 29, 1997

Dear Ronald & Pat:

I have only recently become aware that I am the legal owner of a radio channel in the Dallas area. I did not know that my name had been used. I have never signed any documents in this regard.

Since it is my wish to not be involved in anything that could be considered deceptive, please remove my name from this channel and do not use my name or the name of any entity that I am involved in such as Sumpter & Durden, Inc. in the future.

Thank you.



Jim Sumpter

000412

EXHIBIT 2

Ronald & Pat Brasher
224 Molina
Sunnyvale, Tx 75182

November 29, 1997

Dear Ronald & Pat:

I have only recently become aware that I am the legal owner of a radio channel in the Dallas area. I knew that you had used my name but I understood that if a channel was awarded then you would immediately transfer it to your name. I have not signed any documents in this regard in several years.

Since it is my wish to not be involved in anything that could be considered deceptive, please remove my name from this channel and do not use my name in the future.

Thank you.

Norma L. Sumpter
Norma L. Sumpter

000437

Ехнівіт 3

Ronald & Pat Brasher
224 Molina
Sunnyvale, Tx 75182

November 29, 1997

Dear Ronald & Pat:

I have only recently become aware that I am the legal owner of a radio channel in the Dallas area. I knew that you had used my name but I understood that if a channel was awarded then you would immediately transfer it to your name. I have not signed any documents in this regard in several years. In fact I have never signed anything using my married name of Hill.

Since it is my wish to not be involved in anything that could be considered deceptive, please remove my name from this channel and do not use my name or my husband's name (Heath Hill) in the future.

Thank you.


Jennifer S. Hill

000140

EXHIBIT 4

Ronald & Pat Brasher
224 Molina
Sunnyvale, Tx 75182

November 29, 1997

Dear Ronald & Pat:

I have only recently become aware that I am the legal owner of a radio channel in the Dallas area. I knew that you had used my name but I understood that if a channel was awarded then you would immediately transfer it to your name. I have not signed any documents in this regard in several years.

Since it is my wish to not be involved in anything that could be considered deceptive, please remove my name from this channel and do not use my name in the future.

Thank you.

Melissa G. Sumpter
Melissa G. Sumpter

000424

EXHIBIT 5



METROPLEX TWO WAY RADIO
Mobile Communications Specialist

2244 Larson Lane, Suite 104 Dallas, Texas 75229
(214) 484-8848 Fax (214) 484-8919

January 6, 1998

Norma Sumpter
4008 Harbinger Drive
Mesquite, TX 75150

Dear Norma:

It is difficult for Pat and myself to understand that you have only recently become aware that you are a legal owner of a radio license. You signed a request for license in July, 1996 at your office with Jim Sumpter, Pat Brasher and myself present. You also received a yellow coordination card and four weeks later, received a green coordination card from the license coordinator. In October, 1996, you received a radio license addressed to you.

Per your request, I have commenced removing your name from your assigned license. Transfer of ownership can be completed after a letter of construct and transfer papers are filed. This process has already begun and once I receive the papers, I will contact you.

Should you have any questions or comments, please contact me.

Sincerely,

Ron Brasher

000438



METROPLEX TWO WAY RADIO
Mobile Communications Specialist

2244 Larson Lane, Suite 104 Dallas, Texas 75229
(214) 484-8848 Fax (214) 484-8919

January 6, 1998

Melissa Sumpter
4008 Harbinger Drive
Mesquite, TX 75150

Dear Melissa:

It is difficult for Pat and myself to understand that you have only recently become aware that you are a legal owner of a radio license. You signed a request for license in July, 1996 at our house in the presence of Jennifer Hill, Norma Sumpter, Pat Brasher and myself. You also received a yellow coordination card and four weeks later, received a green coordination card from the license coordinator. In October, 1996, you received a radio license addressed to you.

Per your request, I have commenced removing your name from your assigned license. Transfer of ownership can be completed after a letter of construct and transfer papers are filed. This process has already begun and once I receive the papers, I will contact you.

Should you have any questions or comments, please contact me.

Sincerely,


Ron Brasher

000400

EXHIBIT 6
